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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

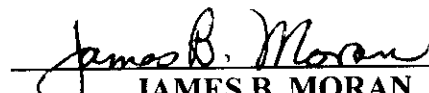
UNITED STATES OF AMERICA	)	
	)	
	)	
vs.	)	No. 04 CR 937
	)	
OZIEL MARTINEZ,	)	
	)	
Defendant.	)	

MEMORANDUM OPINION AND ORDER

Defendant Oziel Martinez, a pretrial detainee, has complained for several months of headaches associated with a developing cataract. Cataract surgery, we are advised, is an elective procedure not paid for by the government for pretrial detainees. This court is not in a position to make a medical evaluation, but we are aware that a cataract diagnosis was made while Martinez was in detention at Kenosha. He is presently in detention in Kankakee.

The defendant very much desires to have the surgery performed, at his expense. He is also willing to pay the contract rate for sheriff's deputies to accompany him to a doctor's office for evaluation and for the procedure, just as deputies in Kankakee accompany prisoners for medical procedures initiated by the government.

In those circumstances we order that the defendant be taken, under guard, to a doctor of his choice for evaluation and for any procedure that follows, at times fixed by the doctor and communicated to the Marshal Service and his counsel, but not to the defendant, at the expense of the defendant. The defendant shall furnish to the Marshal Service a billing address and shall make his own arrangements to pay for both the medical services and the guard services.

  
JAMES B. MORAN  
Senior Judge, U. S. District Court

Dec. 13, 2005.